

# Senate Study Bill 1063 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED ETHICS AND  
CAMPAIGN DISCLOSURE BOARD  
BILL)

## A BILL FOR

1 An Act relating to campaign finance by requiring electronic  
2 filing of certain statements and reports and by raising the  
3 minimum dollar amounts that trigger certain regulations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68A.102, subsections 5, 12, and 18, Code  
2 2015, are amended to read as follows:

3 5. "*Candidate's committee*" means the committee designated  
4 by the candidate for a state, county, city, or school office  
5 to receive contributions in excess of ~~seven hundred fifty one~~  
6 thousand dollars in the aggregate, expend funds in excess of  
7 ~~seven hundred fifty one thousand~~ dollars in the aggregate, or  
8 incur indebtedness on behalf of the candidate in excess of  
9 ~~seven hundred fifty one thousand~~ dollars in the aggregate in  
10 any calendar year.

11 12. "*County statutory political committee*" means a committee  
12 as described in section 43.100 that accepts contributions in  
13 excess of ~~seven hundred fifty one thousand~~ dollars in the  
14 aggregate, makes expenditures in excess of ~~seven hundred fifty~~  
15 one thousand dollars in the aggregate, or incurs indebtedness  
16 in excess of ~~seven hundred fifty one thousand~~ dollars in the  
17 aggregate in any one calendar year to expressly advocate the  
18 nomination, election, or defeat of a candidate for public  
19 office.

20 18. "*Political committee*" means any of the following:

21 a. A committee, but not a candidate's committee, that  
22 accepts contributions in excess of ~~seven hundred fifty one~~  
23 thousand dollars in the aggregate, makes expenditures in excess  
24 of ~~seven hundred fifty one thousand~~ dollars in the aggregate,  
25 or incurs indebtedness in excess of ~~seven hundred fifty one~~  
26 thousand dollars in the aggregate in any one calendar year  
27 to expressly advocate the nomination, election, or defeat of  
28 a candidate for public office, or to expressly advocate the  
29 passage or defeat of a ballot issue.

30 b. An association, lodge, society, cooperative, union,  
31 fraternity, sorority, educational institution, civic  
32 organization, labor organization, religious organization,  
33 or professional organization that accepts contributions in  
34 excess of ~~seven hundred fifty one thousand~~ dollars in the  
35 aggregate, makes expenditures in excess of ~~seven hundred fifty~~

1 one thousand dollars in the aggregate, or incurs indebtedness  
2 in excess of ~~seven hundred fifty~~ one thousand dollars in the  
3 aggregate in any one calendar year to expressly advocate the  
4 nomination, election, or defeat of a candidate for public  
5 office, or to expressly advocate the passage or defeat of a  
6 ballot issue.

7 c. A person, other than an individual, that accepts  
8 contributions in excess of ~~seven hundred fifty~~ one thousand  
9 dollars in the aggregate, makes expenditures in excess of ~~seven~~  
10 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs  
11 indebtedness in excess of ~~seven hundred fifty~~ one thousand  
12 dollars in the aggregate in any one calendar year to expressly  
13 advocate that an individual should or should not seek election  
14 to a public office prior to the individual becoming a candidate  
15 as defined in subsection 4.

16 Sec. 2. Section 68A.201, subsection 2, paragraph e, Code  
17 2015, is amended to read as follows:

18 e. A signed statement by the treasurer of the committee  
19 and the candidate, in the case of a candidate's committee,  
20 which shall verify that they are aware of the requirement  
21 to file disclosure reports if the committee, the committee  
22 officers, the candidate, or both the committee officers and  
23 the candidate receive contributions in excess of ~~seven hundred~~  
24 ~~fifty~~ one thousand dollars in the aggregate, make expenditures  
25 in excess of ~~seven hundred fifty~~ one thousand dollars in the  
26 aggregate, or incur indebtedness in excess of ~~seven hundred~~  
27 ~~fifty~~ one thousand dollars in the aggregate in a calendar year  
28 to expressly advocate the nomination, election, or defeat of  
29 any candidate for public office. In the case of political  
30 committees, statements shall be made by the treasurer of the  
31 committee and the chairperson.

32 Sec. 3. Section 68A.202, subsection 1, Code 2015, is amended  
33 to read as follows:

34 1. Each candidate for state, county, city, or school  
35 office shall organize one, and only one, candidate's committee

1 for a specific office sought when the candidate receives  
2 contributions in excess of ~~seven hundred fifty~~ one thousand  
3 dollars in the aggregate, makes expenditures in excess of ~~seven~~  
4 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs  
5 indebtedness in excess of ~~seven hundred fifty~~ one thousand  
6 dollars in the aggregate in a calendar year.

7 Sec. 4. Section 68A.202, subsection 2, paragraph a, Code  
8 2015, is amended to read as follows:

9 a. A political committee shall not be established to  
10 expressly advocate the nomination, election, or defeat of only  
11 one candidate for office. However, a political committee may  
12 be established to expressly advocate the passage or defeat of  
13 approval of a single judge standing for retention. A permanent  
14 organization, as defined in section 68A.402, subsection 9, may  
15 make a one-time contribution to only one candidate for office  
16 in excess of ~~seven hundred fifty~~ one thousand dollars.

17 Sec. 5. Section 68A.203, subsection 2, paragraph b, Code  
18 2015, is amended to read as follows:

19 b. A person, other than a candidate or committee officer,  
20 who receives contributions for a committee shall, not later  
21 than fifteen days from the date of receipt of the contributions  
22 or on demand of the treasurer, render to the treasurer the  
23 contributions and an account of the total of all contributions,  
24 including the name and address of each person making a  
25 contribution in excess of ~~ten~~ twenty-five dollars, the amount  
26 of the contributions, and the date on which the contributions  
27 were received.

28 Sec. 6. Section 68A.203, subsection 3, paragraph b, Code  
29 2015, is amended to read as follows:

30 b. The name and mailing address of every person making  
31 contributions in excess of ~~ten~~ twenty-five dollars, and the  
32 date and amount of the contribution.

33 Sec. 7. Section 68A.401, subsection 1, unnumbered paragraph  
34 1, Code 2015, is amended to read as follows:

35 All statements and reports required to be filed under this

1 chapter shall be filed with the board as provided in this  
2 section and section 68A.402, subsection 1. The board shall  
3 post on its internet site all statements and reports filed  
4 under this chapter. For purposes of this section, the term  
5 "*statement*" does not include a bank statement.

6 Sec. 8. Section 68A.401, subsection 1, paragraphs a, b, c,  
7 and d, Code 2015, are amended to read as follows:

8 a. A state statutory political committee, a county statutory  
9 political committee, a political committee expressly advocating  
10 for or against the nomination, election, or defeat of a  
11 candidate for statewide office or the general assembly, and a  
12 candidate's committee of a candidate for statewide office or  
13 the general assembly shall file all statements and reports in  
14 an electronic format by 4:30 p.m. of the day the filing is due  
15 and according to rules adopted by the board.

16 ~~b. Effective January 1, 2011, a county statutory political~~  
17 ~~committee shall file all statements and reports in an~~  
18 ~~electronic format by 4:30 p.m. of the day the filing is due and~~  
19 ~~according to rules adopted by the board.~~

20 c. ~~Effective January 1, 2011, any~~ Any other candidate  
21 or committee involved in a county, city, school, or other  
22 political subdivision election that accepts monetary or in-kind  
23 contributions in excess of two thousand dollars, or incurs  
24 indebtedness in excess of two thousand dollars in the aggregate  
25 in a calendar year, or makes expenditures in excess of two  
26 thousand dollars in a calendar year to expressly advocate for  
27 or against a clearly identified candidate or ballot issue shall  
28 file all statements and reports in an electronic format by  
29 4:30 p.m. of the day the filing is due and according to rules  
30 adopted by the board. The committee shall continue to file  
31 subsequent statements and reports in an electronic format until  
32 being certified as dissolved under section 68A.402B.

33 d. ~~Any~~ Effective January 1, 2016, any other candidate or  
34 political committee not ~~otherwise required to file a statement~~  
35 ~~or report in an electronic format under this section described~~

1 in paragraphs "a" and "c" shall file ~~the~~ all statements and  
2 reports in either an electronic format ~~as prescribed by rule or~~  
3 ~~by one of the methods specified in section 68A.402, subsection~~  
4 ~~±~~ by 4:30 p.m. of the day the filing is due according to rules  
5 adopted by the board pursuant to chapter 17A.

6 Sec. 9. Section 68A.403, subsection 1, Code 2015, is amended  
7 to read as follows:

8 1. Unless filed in an electronic format ~~in accordance with~~  
9 ~~section 68A.401, subsection 1,~~ a report or statement required  
10 to be filed under this chapter shall be signed by the person  
11 filing the report.

12 Sec. 10. Section 68A.404, subsection 1, Code 2015, is  
13 amended to read as follows:

14 1. As used in this section, "*independent expenditure*" means  
15 one or more expenditures in excess of ~~seven hundred fifty one~~  
16 thousand dollars in the aggregate for a communication that  
17 expressly advocates the nomination, election, or defeat of  
18 a clearly identified candidate or the passage or defeat of  
19 a ballot issue that is made without the prior approval or  
20 coordination with a candidate, candidate's committee, or a  
21 ballot issue committee.

22 Sec. 11. Section 68A.404, subsection 4, paragraph a, Code  
23 2015, is amended to read as follows:

24 a. An independent expenditure statement shall be filed  
25 within forty-eight hours of the making of an independent  
26 expenditure in excess of ~~seven hundred fifty one thousand~~  
27 dollars in the aggregate, or within forty-eight hours of  
28 disseminating the communication to its intended audience,  
29 whichever is earlier. For purposes of this section, an  
30 independent expenditure is made when the independent  
31 expenditure communication is purchased or ordered regardless of  
32 whether or not the person making the independent expenditure  
33 has been billed for the cost of the independent expenditure.

34 Sec. 12. Section 68A.501, Code 2015, is amended to read as  
35 follows:

1      68A.501   Funds from unknown source — escheat.

2 The expenditure of funds from an unknown or unidentifiable  
3 source received by a candidate or committee is prohibited.  
4 Such funds received by a candidate or committee shall escheat  
5 to the state. Any candidate or committee receiving such  
6 contributions shall remit such contributions to the board  
7 which shall forward it to the treasurer of state for deposit  
8 in the general fund of the state. Persons requested to make a  
9 contribution at a fundraising event shall be advised that it  
10 is illegal to make a contribution in excess of ~~ten~~ twenty-five  
11 dollars unless the person making the contribution also provides  
12 the person's name and address.

13      Sec. 13. Section 68B.2, subsection 5, Code 2015, is amended  
14 to read as follows:

15        5. "*Candidate's committee*" means the committee designated  
16 by a candidate for a state, county, city, or school office, as  
17 provided under chapter 68A, to receive contributions in excess  
18 of ~~seven hundred fifty~~ one thousand dollars in the aggregate,  
19 expend funds in excess of ~~seven hundred fifty~~ one thousand  
20 dollars in the aggregate, or incur indebtedness on behalf of  
21 the candidate in excess of ~~seven hundred fifty~~ one thousand  
22 dollars in the aggregate in any calendar year.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with  
25 the explanation's substance by the members of the general assembly.

26 This bill relates to campaign finance by requiring  
27 electronic filing of certain statements and reports and  
28 by raising the minimum dollar amounts that trigger certain  
29 regulations.

30 The bill provides that, beginning January 1, 2016, candidate  
31 and political committees that are not currently required to  
32 file electronically shall file all statements and reports with  
33 the Iowa ethics and campaign disclosure board in an electronic  
34 format by 4:30 p.m. of the day the filing is due.

35 The bill requires that a person receiving a contribution

1 render the name and address of each person making a  
2 contribution in excess of \$25, and makes corresponding changes.  
3 Current law requires such information for contributions in  
4 excess of \$10.

5 The bill changes the definition of "candidate committee",  
6 "county statutory political committee", and "political  
7 committee" by raising the minimum qualifying amounts of  
8 contributions, expenditures, or indebtedness to amounts in  
9 excess of \$1,000. Under current law, the definitions of these  
10 terms require contributions, expenditures, or indebtedness in  
11 excess of \$750. The bill makes corresponding changes.

12 Current law provides that certain permanent organizations  
13 may make a one-time contribution to one candidate for office in  
14 excess of \$750. The bill changes that amount to \$1,000.

15 Current law further provides that an independent expenditure  
16 means one or more expenditures in excess of \$750 in the  
17 aggregate for a communication expressly advocating the  
18 nomination, election, or defeat of a clearly identified  
19 candidate or the passage or defeat of a ballot issue that  
20 is made without the prior approval or coordination with a  
21 candidate, candidate's committee, or a ballot issue committee.  
22 The bill provides that an independent expenditure requires  
23 one or more of such expenditures in excess of \$1,000 in the  
24 aggregate.